

1-28-05

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: Thomas E. Barta, et al.
Serial No: 10/747,796
Filed: December 29, 2003
For: Aromatic Sulfone Hydroxamic Acid Metalloprotease Inhibitors
Confirmation No: 6418
Group Art Unit: 1625
Examiner: TBA
Attorney Ref: 3124/5A/US
Pfizer Ref: 31134A/USA
HDP Ref: 6794-000017/DVF

January 27, 2005

INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Madam/Sir:

To comply with 37 CFR §1.97 and §1.98, Applicants submit the enclosed Form PTO-1449.

In accordance with MPEP §609 and §707.05(b), Applicants respectfully request that each document listed be given thorough consideration, and that the Examiner cite each document of record in the prosecution history of the present application by initialing the Form PTO-1449 next to each document. Applicants request such initialing even if the Examiner does not consider: (1) a document to be sufficiently pertinent to use in a rejection; (2) a document to be prior art for any reason; or (3) that the guidelines for citation have been fully complied with respecting a particular document. Applicants make this request so that each document becomes cited on the face of a patent issuing on the present application.

Applicants submit this information disclosure statement in compliance with the duty to disclose information material to patentability under 37 CFR §1.5, but by listing such documents are not admitting that such documents are necessarily relevant or prior art. Applicants intend no representation that the listed documents represent the results of a complete search. Applicants anticipate that the Examiner, in the normal course of examination, will make an independent search consistent with 37 CFR §1.104(a) and §1.106(b), and, in the course of such search, will

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Information Disclosure Statement

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review for relevance every document listed on the attached form even if not initialed.

Most references cited in this information disclosure statement are U.S. patents or U.S. patent application publications, or were previously cited or submitted to the Office and considered in the parent application, Appl. No. 09/750,731 (filed May 12, 2000, and issued as U.S. Patent No. 6,750,228 on June 15, 2004). Copies of those references are therefore not being provided in accordance with 37 C.F.R. §1.98(d) and MPEP §609 Part III(A)(2). Applicants, however, will provide copies of such references upon request from the Examiner. The references that are enclosed with this information disclosure statement are identified as being enclosed on the Form 1449.

This application is a divisional of U.S. Application Serial No. 09/570,731, which, in turn, is a continuation-in-part of U.S. Application Serial Nos. 09/311,837 (filed on May 14, 1999) and 09/256,948 (filed on February 24, 1999; abandoned), which, in turn, claim priority to U.S. Patent Application Serial Nos. 09/191,129 (filed November 13, 1998; abandoned) and 09/186,410 (filed November 5, 1998; abandoned). Applicants presume that the Examiner has access to the file histories for the above-referenced applications. Applicants further presume that the Examiner is aware of the issues raised and the scope of claims in those cases, and will take them into account when examining this patent application. Upon request from the Examiner, Applicants can provide copies of the substantive Office actions or any other information relating to those cases, to the extent Applicants have such information in their possession.

Applicants make no representation as to the accuracy of any translation provided with this Information Disclosure Statement.

Applicants request early and favorable consideration.

* * * * *

Applicants believe that they do not owe any fee in connection with this information disclosure statement. If, however, Applicants do owe any such fee(s), the Commissioner is hereby authorized to charge the fee(s) to Deposit Account No. **08-0750**. In addition, if there is ever any other fee deficiency or overpayment under 37 C.F.R. §1.16 or §1.17 in connection with this patent application, the Commissioner is hereby authorized to charge such deficiency or overpayment to Deposit Account No. **08-0750**.

Information Disclosure Statement
Appl. No. 10/747,796
January 27, 2005



The Examiner is requested to call the undersigned if any questions arise that can be addressed over the phone to expedite examination of this application.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "David M. Gryte".

David M. Gryte, PTO Reg. No. 41,809
Harness, Dickey & Pierce
7700 Bonhomme, Suite 400
St. Louis, Missouri 63105
(314) 726-7500 (tel)
(314) 726-7501 (fax)

CERTIFICATE OF MAILING UNDER 37 CFR § 1.8

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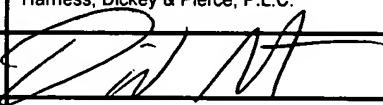
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Total Number of Pages in This Submission	Attorney Docket Number	3124/5A/US 31134A/USA (6794-000017/US/DVF)
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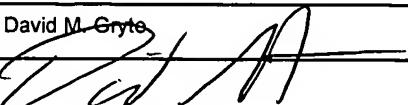
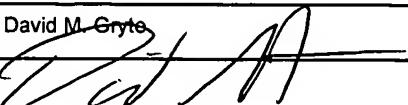
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<input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm	Harness, Dickey & Pierce, P.L.C.		
Signature			
Printed Name	David M. Gryte		
Date	January 27, 2005	Reg. No.	41,809

CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.

Typed or printed name	David M. Gryte 	Express Mail Label No.	EV 327050998 US
Signature		Date	January 27, 2005

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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FORM HDP-1449 (Based on Form PTO-1449)		ATTORNEY DOCKET NO.	SERIAL NO.
		3124/5A/US (Pfizer Ref. 31134A/USA)	10/747,796
APPLICANT			
Thomas E. Barta et al.			
Sheet 1 of 5		FILING DATE	GROUP
		December 29, 2003	1625

U.S. PATENT DOCUMENTS

Ref. Desig.	Examiner's Initials	Document Number	Date	Name	Class/ Subclass	(If appropriate) Filing Date
1.		4,595,700	06/17/1986	Donald et al.	514/616	
2.		5,932,595	08/03/1999	Bender et al.	514/317	
3.		6,013,649	01/11/2000	Freskos et al.	514/237.8	
4.		6,300,514	10/09/2001	Takahashi et al.	560/17	
5. (Office action and notices of allowance enclosed)		6,541,489, including 12/17/01 Office action, 5/16/02 notice of allowances, and 11/08/02 notice of allowance	04/01/2003	Barta et al.	514/330	
6. (Office action and notice of allowance enclosed)		6,683,093, including 6/16/03 Office action and 8/13/03 notice of allowance	1/27/2004	Barta et al.	514/316	11/21/2001
7. (Office action and notice of allowance enclosed)		6,689,794, including 4/11/03 Office action and 5/28/03 notice of allowance	02/10/2004	Barta et al.	514/318	05/10/2002
8. (Office action and notice of allowance enclosed)		6,750,233, including 11/18/02 Office action and 5/9/03 notice of allowance	06/15/2004	Barta et al.	514/336	09/17/2001
9. (pending claims enclosed)		Publ. No. 2004-0024024 (Appl. No. 10/291,983), including pending claims		Freskos et al.	514/326	11/12/2002
10. (notice of allowance and allowed claims enclosed)		Publ. No. 2004-0048852 (Appl. No. 10/337,942), including allowed claims and 2/13/04 notice of allowance		Barta et al.	514/317	01/07/2003

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U.S. PATENT DOCUMENTS

Ref. Desig.	Examiner's Initials	Document Number	Date	Name	Class/ Subclass	(If appropriate) Filing Date
11. (notice of allowance and allowed claims enclosed)		Publ. No. 2004-0110805 (Appl. No. 10/657,034), including allowed claims and 7/21/04 notice of allowance		Freskos et al.	514/256	09/05/2003
12. (pending claims enclosed)		Publ. No. 2004-0209914 (Appl. No. 10/730,403), including pending claims		Barta et al.	546/207	12/08/2003
13. (enclosed)		Pending claims from Appl. No. 10/992,483		Freskos et al.	TBA	11/07/2004

FOREIGN PATENT DOCUMENTS

Ref. Desig.	Examiner's Initials	Document Number	Date	Country	Class/ Subclass	Translation Yes	Translation No
14.		EP 0 266 182	05/04/1988	Europe	C07D 307/32		
15.		EP 0 606 046	07/13/1994	Europe	C07D 213/42		
16.		EP 0 780 386	06/25/1997	Europe	C07D 309/08		
17.		EP 0 930 067	07/21/1999	Europe	A61K 31/40		
18. (enclosed partial translation)		JP 4-338331	11/25/1992	Japan	A61K 31/365	partial	
19.		WO 90/05719	05/31/1990	PCT	C07C 323/62		
20.		WO 93/20047	10/14/1993	PCT	C07C/ 317/44		
21.		WO 94/02466	02/03/1994	PCT	C07D 221/14		
22.		WO 94/24140	10/27/1994	PCT	C07H 13/04		

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FORM HDP-1449 (Based on Form PTO-1449) PATENT AND TRADEMARK OFFICE INFORMATION DISCLOSURE CITATION (Use several sheets if necessary) Sheet 3 of 5		ATTORNEY DOCKET NO.	SERIAL NO.
		3124/5A/US (Pfizer Ref. 31134A/USA)	10/747,796
		APPLICANT	
		Thomas E. Barta et al.	
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FOREIGN PATENT DOCUMENTS

Ref. Desig.	Examiner's Initials	Document Number	Date	Country	Class/ Subclass	Translation Yes	Translation No
23.		WO 95/09841	04/13/1995	PCT	C07C 323/60.		
24.		WO 95/13289	05/18/1995	PCT	C07K 5/062		
25.		WO 95/29892	11/09/1995	PCT	C07D 207/327		
26.		WO 96/06074	02/29/1996	PCT	C07C 259/06		
27.		WO 96/11209	04/18/1996	PCT	C07K 5/06		
28.		WO 97/20824	06/12/1997	PCT	C07D 241/04		
29.		WO 97/24117	07/10/1997	PCT	A61K 31/19		
30.		WO 98/37877	09/03/1998	PCT	A61K 31/16		
31.		WO 98/38163	09/03/1998	PCT	C07C 323/60		
32.		WO 99/09000	02/25/1999	PCT	C07C 235/00		
33.		WO 99/25687	05/27/1999	PCT	C07D 211/66		
34.		WO 99/42436	08/26/1999	PCT	C07C 239/14		
35.		WO 00/46221	08/10/2000	PCT	C07D 405/12		
36.		WO 00/50396	08/31/2000	PCT	C07D 211/66		
37.		WO 00/59874	10/12/2000	PCT	C07C 259/06		
38.		WO 00/69821	11/23/2000	PCT	C07D 211/66		

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PATENT AND TRADEMARK OFFICE INFORMATION DISCLOSURE CITATION (Use several sheets if necessary)		3124/5A/US (Pfizer Ref. 31134A/USA)	10/747,796
Sheet 4 of 5		APPLICANT	
		Thomas E. Barta et al.	
		FILING DATE	GROUP
		December 29, 2003	1625

OTHER DOCUMENTS (including Author, Title, Date, Pertinent Pages, etc.)

Ref. Desig.	Examiner's Initials	
39.		Brown, P.D., "Synthetic Inhibitors of Matrix Metalloproteinases," in <i>Matrix Metalloproteinases</i> , pp. 243-61 (Edited by Parks, W.C. & Mecham, R.P., Academic Press, San Diego, CA 1998).
40.		Dack, et al., <i>Preparation of N-hydroxytetrahydropyridylsulfonylacetamides and related compounds as matrix metalloprotease inhibitors</i> , CA 131:44740 (1999) [CA Plus Accession No. 1999:388166]
41.		Denis et al., <i>Matrix metalloproteinase inhibitors: Present achievements and future prospects</i> , INVEST. NEW DRUGS, 15:175-185 (1997).
42.		Gearing et al., <i>Processing of tumour necrosis factor-α precursor by metalloproteinases</i> , NATURE, 370:555-557 (1994).
43.		Kenyon et al., <i>A model of angiogenesis in the mouse cornea</i> , INVEST. OPHTHALMOL. VIS. SCI., 37(8):1625-1632 (1996).
44.		King, F.D. (Ed), <i>Medicinal Chemistry, Principles and Practice</i> , Royal Society of Chemistry (1994) 206-209
45.		Knight et al., <i>A novel coumarin-labelled peptide for sensitive continuous assays of the matrix metalloproteinases</i> , FEBS LETT., 296(3):263-266 (1992).
46.		Luckow et al., <i>Efficient generation of infectious recombinant baculoviruses by site-specific transposon-mediated insertion of foreign genes into a baculovirus genome propagated in escherichia coli</i> , J. VIROL., 67:4566-4579 (1993).
47.		McClure, et al., <i>Matrix metalloprotease (MMP)-13 selective inhibitors for treatment of arthritis deformans and other MMP-related diseases</i> , CA 131:125454 (1999) [CA Plus Accession No. 1999:468334]
48.		McGeehan et al., <i>Regulation of tumour necrosis factor-α processing by a metalloproteinase inhibitor</i> , NATURE, 370:558-561 (1994).
49.		Mitchell et al., <i>Cloning, expression, and type II collagenolytic activity of matrix metalloproteinase-13 from human osteoarthritic cartilage</i> , J. CLIN. INVEST. 97(3):761-768 (1996).
50.		Rasmussen et al., <i>Matrix metalloproteinase inhibition as a novel anticancer strategy: a review with special focus on batimastat and marimastat</i> , PHARMACOL. THER., 75(1):69-75 (1997).
51.		Reboul et al., <i>The new collagenase, collagenase-3, is expressed and synthesized by human chondrocytes but not by synoviocytes</i> , J. CLIN. INVEST., 97(9):2011-2019 (1996).
52.		Schwartz et al., <i>Synthetic inhibitors of bacterial and mammalian interstitial collagenases</i> , PROG. IN MED. CHEM., 29:271-334 (1992).

Examiner:

Date Considered:

EXAMINER: Please initial if citation considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

FORM HDP-1449 (Based on Form PTO-1449) PATENT AND TRADEMARK OFFICE INFORMATION DISCLOSURE CITATION (Use several sheets if necessary) Sheet 5 of 5	ATTORNEY DOCKET NO.	SERIAL NO.
	3124/5A/US (Pfizer Ref. 31134A/USA)	10/747,796
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	Thomas E. Barta et al.	
	FILING DATE	GROUP
December 29, 2003	1625	

OTHER DOCUMENTS (including Author, Title, Date, Pertinent Pages, etc.)		
Ref. Desig.	Examiner's Initials	
53.		Tang, B. L., <i>ADAMTS: A Novel Family of Extracellular Matrix Proteases</i> , INT. J. BIOCHEM. CELL BIO., 33(11):33-44 (2001).
54.		Woessner, J.F., "The Matrix Metalloprotease Family" in <i>Matrix Metalloproteinases</i> , pp.1-14 (Edited by Parks, W.C. & Mecham, R.P., Academic Press, San Diego, CA 1998).

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